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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,902	09/22/2003	Xianping Ge	0026-0050	6806
44989	7590	11/09/2004	EXAMINER	
HARRITY & SNYDER, LLP 11240 WAPLES MILL ROAD SUITE 300 FAIRFAX, VA 22030			MCELHENY JR, DONALD E	
			ART UNIT	PAPER NUMBER
			2857	

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,902

Applicant(s)

GE, XIANPING

Examiner

Donald E. McElheny, Jr.

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 28 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter and because the claimed invention lacks patentable utility.

Claim 28 calls for a computer-readable medium having merely a data structure and sets forth no clear software program nor algorithmic processing steps. It merely sets forth non-functional descriptive, or non-descriptive, subject matter. Such data content relates analogously to non-statutory printed matter. The little information content that is recited is not clear nor cogent as to how it is interrelated among itself, as it states a table having a row accessed as an intersection of a plurality of sets of rows; how plural rows exist, if at all, in the same table and one is selected by others makes no logical sense, nor what an "intersection" amounts to, as no geometric layout overlap is seen possible to occur in a table. The term table implies a 2-dimensional graphical presentation image, either printed or on some viewable screen, and this appears to be the only context and meaning described and supported in applicant's disclosure as filed. No meaningful invention can be seen nor functionally derived from the recitations in claim 28.

2. Claim 28 is also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either an asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over either of the references by Frank et al. (2002/0078035 A1) or Talib et al. (2001/0049677 A1).

As best as can be determined from the breadth, nonspecific and ambiguous language of the claims, they appear to even be anticipated by most of the prior art cited of record, as they all teach correlation of an address with associated ranges of data relating to that address and others to associate by intersection of the datas in a database and determine a specific geographic location/coordinate information. The multitude of prior art available exemplifies the variety in different purposes of use for such geocoding concepts as claimed. The nature of the claim language appears to be possibly be misdescriptive or misleading in the actual nature or intent of the invention as disclosed, as the language used may intend a physical geometric relationship when none is intended, but rather some conceptual interrelationship, as "rows" defined a forming a "table" do not ever have "intersection", nor of the plural implied by "intersection of the sets of rows in the table". If this is more than a two dimensional table then rows in different coordinate axes may potentially intersect. From reading applicant's written disclosure it is the intersection of database fields meeting some common comparison criteria of data that determines "intersection", and thus not some

physical or graphical relationships of rows or tables, and it is that interpretation the examiner considers the claims to be as far as their breadth of interpretation to be used in consideration of the prior art. However, note cited prior art indeed shows tables with rows which have data fields with common (i.e. "intersection of") values, and those common denominators determine which geographic location data is to be retrieved from the database and supplied to the user.

Though never claimed by applicant, both Frank et al. (2002/0078035 A1) and Talib et al. (2001/0049677 A1) teach the use of geocoding concepts in the same specific environment of use as found discussed in applicant's disclosure, namely geocoding of Internet based documents to prioritize their relevance to a user based upon their geographic location relative to the user's location. They also teach mining for information to supply to the user's request based upon how relative it may be to other search criteria of the user. They also include teaching of the pertinence that geocoding is based upon ranges met relative to applicant's criteria, including location ranges. These are the gist of the invention as claimed and disclosed, but with some minor additional limitations that are met either by inherency of the teachings of these references or dependent upon how one gives meaning to the nebulous claim limitations. The claimed invention is, as best can be determined, more broadly directed to various data fields and their associations used for identifying documents and geographic information based upon those data interrelationships, albeit ignoring any impossible interpretations of physical rows crossing graphically. The claims appear to be directed and find support as being to generalized database concepts with geographic location

information as the data being mined or searched for. Concepts of databases, their searching, and more particularly metadata, metastrings and metasearches, or any complex multiple fields databases, and searching for geographic location related data by user search criteria and presenting the results based upon the found data's relevance, were all so notoriously well known in the prior art as to not involve the concept of invention, and many such features are inherent in such database systems. Some of those well known concepts that are inherent is the selection of any field of data as of value for database records storage and for search purposes; so whether some specific address data field is specifically mentioned or not in these geographic or geocoding related database systems is immaterial as such selection is arbitrary and does not involve the concept of invention. For example, whether a data field text is capitalized or not is something databases designers would routinely consider to include or not as a potential search field criteria, just as in any word processing or search string database system. Such features are especially obvious in most, if not all, database systems, as such data field criteria is often left up to the system designer, if not user as well, to determine as being of importance or not and to be a basis for database use and search criteria. These references teach that any other fields that are of interest to the user may be selected as deemed necessary by the users, and give examples that include geographic addresses relative to the user's own, and that alone is deemed sufficient as a showing of obviousness to select any of these other data fields criteria as set forth by applicant's claims and why such claim features do not involve the concept of invention. Another example of inherency is the use of parity upon data for validation

purposes, as storage of data in memories and databases within computerized systems inherently make use of parity either in the memory storage fields/elements and/or the database fields themselves. Another example is the omissions of "prefixes and suffixes", as when one portion of an address is only used (e.g. such as the street name) then inherently the remainder that has not been used (e.g. numerical address portion or street or avenue type descriptor) has been omitted whether one explicitly states such action or not. The concept of "verification" as broadly claimed is also met by the mere fact that a match in searching has validated that data segment (e.g. row or string) as being correct and meeting the search criteria of the user. Note that other references cited but not applied also explicitly teach most of the notoriously well known inherent features of such geographic information systems and their databases.

5. Game (2001/002035 A1) teaches the gist of the invention but lacks the address ranges aspects of accessing data. Likewise Jones (2002/069312 A1), Frank (2004/0078750 A1), are just a few examples of the more pertinent prior art on geocoding of documents and their retrieval over the Internet environment of use. The other references teach other document and data fields retrieval systems that support supply of data meeting a user's need based upon relevance and location with respect to the user's physical geographic location.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald McElheny, Jr. whose telephone number is 571-272-2218. The examiner can normally be reached on Monday-Thursday from 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoff Marc, can be reached on weekdays at telephone number 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Donald E. McElheny, Jr.
Primary Examiner
Art Unit 2857